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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,954	11/10/2003	Klaus-Jurgen Uhrner	P7290.2US	2953
30008	7590	01/17/2006	EXAMINER	
GUDRUN E. HUCKETT DRAUDT LONSSTR. 53 WUPPERTAL, 42289 GERMANY			TRETTEL, MICHAEL	
			ART UNIT	PAPER NUMBER
			3673	

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,954

Applicant(s)

UHRNER, KLAUS-JURGEN

Examiner

Michael Trettel

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 13, 15-23, 34 and 35 is/are allowed.
- 6) ☒ Claim(s) 1-3, 24, 31-33 and 36-43 is/are rejected.
- 7) ☒ Claim(s) 4-11, 14 and 26-30 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1 to 3, 24, and 31 to 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Paptzun (US 4,226,428). Paptzun shows a sealing ring assembly 18 for use in sealing the joint between a shaft 10 and a shaft housing 12. The seal 18 is formed as a flexible ring with a sinuous body portion 20 and an enlarged head 22 with a flat surface 24 that engages the surface of the shaft 10. The flat surface 24 forms a lip that acts as a sealing surface. The seal is formed from a flexible rubber or plastic material and seats within a groove 16 formed in the shaft housing. Note the materials specified in column 4, lines 5 to 28. An end plate 14 is clamped against the seal and serves to hold the seal in place against the shaft housing 12. As is shown in Figures 3 and 4 the seal includes a rib or bead 30 which extends along the perimeter of the seal, and engages a projection 26 formed as part of the groove 16.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 3673

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 36 to 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paptzun (US 4,226,428) in view of Savoia (US 5,209,502). Savoia teaches that a shaft seal can be formed with a pair of opposed sealing lips 45, 47 which face in opposed directions relative to one another at an interface with the shaft 29. This allows the seal to operate in both directions along the length of the shaft. It would have been obvious to one of ordinary skill in the art to have provided the shaft seal shown by Paptzun with a set of opposed sealing lips as taught by Savoia, for the purpose of providing for and enhancing the sealing on the shaft in both directions along the longitudinal axis.

Response to Arguments

Applicant's arguments with respect to claims 1 to 3, 24, 31 to 33, and 36 to 43 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

Claims 4 to 11, 14, and 26 to 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 12, 13, 15, 16 to 23, 34, and 35 are allowed.

Conclusion


Art Unit: 3673

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Iwakata et al, Brummer, and Fougerolle show shaft seals which are of particular interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trettel whose telephone number is (571) 272-7052. The examiner can normally be reached on Monday, Tuesday, Thursday, or Friday from 7.30 am to 5.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Lee, can be reached on (571) 272-7044. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


Michael Trettel
Primary Examiner
Art Unit 3673